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**Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991**

# Financial performance report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 for the period from 1 January to 31 December 2000

## Report of the Secretary-General

*Summary*

The present report contains the sixth annual financial performance report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 for the year ended 31 December 2000.

In its resolution 54/239 B of 15 June 2000, the General Assembly confirmed its decision to appropriate $106,149,400 gross ($95,942,600 net) to the Special Account for the International Tribunal for the Former Yugoslavia. The expenditures recorded during the period totalled $100,465,700 gross ($89,561,100 net), resulting in a reduction in requirements of $5,683,700 gross ($6,381,500 net).

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# I. Introduction

1. The financial performance report for the International Tribunal for the Former Yugoslavia for the period from 1 January to 31 December 2000 is submitted in accordance with General Assembly resolutions 49/242 B of 20 July 1995 and 54/239 B of 15 June 2000.

# II. Performance report for 2000

Table 1
**Overall appropriation and expenditure**
(Thousands of United States dollars)

| *Object of expenditure* | *(1) Appropriation* | *(2) Expenditure* | *(3)=(1)-(2) Variance* |
|---|---|---|---|
| Posts (net of staff assessment) | 48 129.8 | 44 017.1 | 4 112.7 |
| Other staff costs | 9 274.2 | 9 004.8 | 269.4 |
| Salaries and allowances of judges (including common staff costs) | 2 584.5 | 2 505.2 | 79.3 |
| Consultants and experts | 203.5 | 199.6 | 3.9 |
| Travel | 4 487.8 | 3 812.6 | 675.2 |
| Contractual services | 18 716.4 | 15 834.6 | 2 881.8 |
| General operating expenses | 8 180.4 | 8 185.3 | (4.9) |
| Hospitality | 4.0 | 2.6 | 1.4 |
| Supplies and materials | 1 038.5 | 1 105.0 | (66.5) |
| Furniture and equipment | 2 688.2 | 4 480.7 | (1 792.5) |
| Alterations to premises | 640.5 | 418.9 | 221.6 |
| Staff assessment | 10 201.6 | 10 899.4 | (697.8) |
| **Total (gross)** | **106 149.4** | **100 465.7** | **5 683.7** |
| Income from staff assessment | 10 201.6 | 10 899.4 | (697.8) |
| Other income | 5.2 | 5.2 | - |
| **Total (net)** | **95 942.6** | **89 561.1** | **6 381.5** |

**Posts (decrease: $4,112,700)**

2. The savings represent 8.5 per cent of the appropriation under this object of expenditure and relate to reductions under salaries ($2,167,400), common staff costs ($641,100) and mission subsistence allowance ($961,600). An amount of $1,840,400 was generated under the Office of the Prosecutor and $2,272,300 under the Registry. The net savings are attributable to:

(a) A more favourable rate of exchange of the Netherlands guilder to the United States dollar;

(b) The higher actual average vacancy rates of 12.4 per cent and 6.9 per cent for posts in the Professional category and above and in the General Service and

related category respectively compared with the budgeted rates of 10.0 per cent and 5.0 per cent;

(c) The payment of daily subsistence allowance instead of mission subsistence allowance owing to the short time spent in field offices.

**Other staff costs (decrease: $269,400)**

3. The net savings are due to:

(a) Savings of $746,500 under general temporary assistance in the Registry due to delays in the recruitment of personnel to implement the projects, offset by the recruitment of an additional team of forensic experts under the exhumation programme in Kosovo in the Office of the Prosecutor ($129,800). This resulted in net savings of $616,700;

(b) Savings of $114,300 in overtime and night differential as a result of stricter controls over their use;

(c) Increased requirements of $461,600 for temporary assistance for meetings attributable to a much higher than forecast volume of documents that had to be translated in-house for security purposes and that required expertise at a relatively senior level.

**Salaries and allowance of judges, including common staff costs (decrease: $79,300)**

4. The savings are the result of lower requirements than budgeted.

**Consultants and experts (decrease: $3,900)**

5. Savings of $18,700 are due to the postponement to 2001 of a number of anticipated new trials. As a result, the Office of the Prosecutor used only 60 consultant-days of the 75 that had been budgeted. In addition, there were related savings in travel and subsistence costs as a result of favourable currency exchange rates. The savings were offset by additional requirements of $15,100 in the Registry for a consultant to complete a project, which was not finalized in 1999 as anticipated.

**Travel (decrease: $675,200)**

6. Savings of $1,049,100 result from reduced travel requirements in the Chambers ($23,800) and the Registry ($1,025,300) due to the need for fewer witnesses, support persons and dependants to travel to The Hague than anticipated. In addition, the cost of travel and accommodation were lower due to the favourable currency exchange rate and concerted efforts by the Tribunal to use the most economical means of travel available. The savings were offset by increased requirements of $373,900 in the Office of the Prosecutor for the continuation of the investigations in Kosovo, including the exhumation project.

**Contractual services (decrease: $2,881,800)**

7. The savings consist of $2,873,900 under the Registry and $7,900 for the Office of the Prosecutor, comprising the following:

(a) Savings of $2,373,500 under the provision for defence counsel resulting from fewer detainees than were estimated in the budget;

(b) Savings of $249,200 under the provision for detention services as a result of the favourable currency exchange rate;

(c) Savings of $104,000 under training, consisting of $7,900 for the Office of the Prosecutor and $96,100 for the Registry, resulting from difficulties in releasing personnel to participate in the full programme of training because of the increased activity in Kosovo;

(d) Savings of $160,500 under verbatim reporting resulting from the lower than anticipated number of courtroom sessions;

(e) Savings of $25,500 under other contractual services as a result of the lower than anticipated use of forensic analysis and decontamination services.

**General operating expenses (increase: $4,900)**

8. The net increase in requirements is the result of:

(a) Savings of $193,400 for the rental of premises as a result of favourable currency exchange rates ($259,400), offset by unbudgeted expenditures for the Transit House in Pristina (approximately $66,000);

(b) Additional requirements of $92,200 for the maintenance of premises due to the reconciliation by the landlord of maintenance charges for 1999, resulting in outstanding charges being paid in 2000;

(c) Savings of $30,300 for the rental of equipment;

(d) Savings of $304,300 for communications as a result of the installation of new-technology satellite access equipment, which permits access to more efficient demand-based satellite links and which resulted in a significant reduction in satellite transponder usage time and access charges;

(e) Savings of $141,500 for the maintenance of equipment as a result of favourable currency exchange rates and the relative newness of the vehicles, which required less maintenance;

(f) Additional requirements of $582,100 under other general operating expenses as a result of the settlement of a claim and the setting aside of amounts to meet possible claims against the United Nations following the deaths of detainees while in custody and the acquittal of accused persons following trial.

**Hospitality (decrease: $1,400)**

9. The decrease is due to a decrease in actual requirements.

**Supplies and materials (increase: $66,500)**

10. The increase relates to additional requirements of $68,700 for office supplies, $69,400 for photocopy paper and supplies, $4,300 for subscriptions, $15,700 for audio-visual supplies and $122,600 for sanitation and forensic supplies as a result of a higher than anticipated level of courtroom activities and an increase in exhumation activities by the Office of the Prosecutor. These increases were offset by savings of $45,600 for data-processing supplies, $5,000 for library books, $52,300 for

uniforms, $85,600 for petrol, oil and lubricants and $25,800 for other miscellaneous supplies. Data-processing supplies ordered in 1999 were delivered in 2000, resulting in a smaller quantity being purchased in 2000. In addition, the delivery of vehicles for the exhumation programme was delayed from January to July 2000, thus reducing the volume of fuel consumed. The cost of fuel was also lower than budgeted due to the favourable currency exchange rate.

**Furniture and equipment (increase: $1,792,500)**

11. The net increase was due to additional requirements totalling $1,859,200, of which $507,800 was for electronic data-processing equipment, $448,700 was for vehicles, $440,900 was for other equipment, $227,700 was for furniture and fixtures, $109,800 was for communications equipment, $76,200 was for computer software, $45,800 was for security equipment and $2,300 was for office equipment, offset by a decrease of $66,700 for audio-visual equipment. Activities related to the exhumation programme in Kosovo were significantly greater than anticipated, including the construction of morgue facilities, which required additional equipment of all types.

**Alterations to premises (decrease: $221,600)**

12. The budget included a provision of $433,000 to build a cafeteria at the Tribunal's headquarters in The Hague, which was not utilized since the lowest bid for the design (over $900,000) was not considered cost-effective, given the temporary nature of the Tribunal. A portion of those resources was partially redeployed to complete the alteration of a former industrial complex in Kosovo for use as a morgue building.

**Staff assessment (increase: $697,800)**

13. An increase of $697,800 was recorded under staff assessment. Income from staff assessment was increased by an equal amount.

## III. Action to be taken by the General Assembly

14. The General Assembly is requested to take note of the present report.

# Annex I

## Performance indicators for 2000

As a result of the review of performance indicators in early 2000, a number of indicators were consolidated or discontinued. The indicators listed below therefore represent an amalgam of those previously reported and those to be used in future reporting.

| *Performance indicator (number)* | *Projected* | *Actual* |
|---|---|---|
| **A. Chambers** | | |
| Trials | 8 | 13 |
| Appeals | 33 | 73 |
| Court sessions | 1 012 | 737 |
| Plenary days | 9 | 8 |
| Documents filed (total pages) | 55 000 | 79 321 |
| Documents filed (Chambers pages) | 4 000 | 3 604 |
| Transcript pages | 71 500 | 78 647 |
| **B. Office of the Prosecutor** | | |
| *Prosecution Division* | | |
| Motions, applications and responses | 450 | 400 |
| Trials under preparation | 12 | 8 |
| Research papers (Legal Advisory Section) | 20 | 20 |
| *Investigation Division* | | |
| Investigations | 31 | 37 |
| Witnesses interviewed | 1 932 | 5 620 |
| Search warrants obtained | 4 | 14 |
| Request for assistance in | 360 | 590 |
| Request for assistance out | 1 000 | 1 391 |
| *Leadership research team* | | |
| Reports prepared | 200 | 212 |
| *Military analysis team* | | |
| Reports prepared | 600 | 612 |
| *Fugitive Intelligence and Sensitive Sources Unit* | | |
| Intelligence contacts | 80 | 386 |
| *Forensic Unit* | | |
| Mass grave sites assessed for possible exhumation | 27 | 288 |
| Actual mass grave exhumations completed | 110 | 264 |
| Bodies exhumed | 2 143 | 1 824 |
| Post-mortems performed | 2 143 | 1 824 |

| | | |
|---|---|---|
| *Information and Evidence Section* | | |
| Documents held in the evidence collection | | |
| Pages | 1 800 000 | 2 128 000 |
| Videos | 2 600 | 3 936 |
| *Criminal intelligence database* | | |
| Relationships entered (cumulative total) | 808 000 | 737 700 |
| **C. Registry** | | |
| *Public Information Services* | | |
| Requests for documents | 12 000 | n/a |
| Press contacts | 60 000 | 36 900 |
| Visits arranged by universities, law societies, etc. | | |
| Groups | 240 | 160 |
| Visitors | 6 000 | 3 005 |
| Internet home page queries | 1.08 million | 1.11million |
| *Judicial Support Division* | | |
| *Detention Unit* | | |
| Detainees (average) | 40 | 35 |
| Detainees transported | 1 425 | 996 |
| Visitor hours | 25 391 | 16 946 |
| Telephone calls monitored | 16 622 | 27 552 |
| *Defence Counsel Unit* | | |
| Defence team members | 125 | 125 |
| Detainee visit permit applications | 730 | 623 |
| *Library and Reference Unit* | | |
| Size of collection | 5 000 | 5 074 |
| Search requests | 4 200 | 4 165 |
| Legal database hours | 1 800 | 1 541 |
| *Archiving Unit* | | |
| Documents filed | 4 800 | n/a |
| Records transferred (metres) | 84 | 207 |
| Requests for information | 1 900 | 443 |
| *Legal Division* | | |
| *Victims and Witnesses Section* | | |
| Witnesses | 600 | 512 |
| Witness days | 4 800 | 3 703 |
| Witnesses with additional protective measures | 250 | 168 |
| Relocation requests | 20 | 15 |
| Witnesses with additional support needs | 120 | 141 |
| *Registry Legal Support Unit* | | |
| Contracts reviewed | 36 | |
| Research projects | 15 | |

| | | |
|---|---|---|
| International agreements negotiated | 27 | |
| *Administrative Support Division* | | |
| *Office of the Chief of Administration* (millions of United States dollars) | | |
| Appropriation/expenditure (net) | $95.9 | $89.6 |
| Extrabudgetary expenditures (net) | $5.8 | $5.4 |
| *Security and Safety Section* | | |
| Personnel screened on entry to building | 295 200 | 479 200 |
| Parcels inspected and X-rayed | 82 140 | 89 468 |
| Visitor badges issued | 14 520 | 15 585 |
| *Finance Section* (per month) | | |
| Payroll calculations | 1 100 | 1 111 |
| Obligations | 750 | 850 |
| Invoices processed | 1 600 | 1 563 |
| Payments issued by cashier | 2 100 | 2 276 |
| *Human Resources Section* | | |
| Posts on staffing table | 882 | 848 |
| Other personnel (extrabudgetary, trust fund) | 250 | 350 |
| Applications received | 9 000 | 7 126 |
| Offers of appointment made | 400 | 480 |
| Special service agreement contracts | 800 | 908 |
| *Conference and Language Support Section* | | |
| Translation (pages translated per year) | 80 000 | 67 238 |
| Conference interpreters (days) | 3 800 | 3 145 |
| Field interpreters (days) | 5 197 | 3 491 |
| Verbatim reporting (days) | | |
| French | 2 790 | 1 906 |
| English | 465 | 427 |
| *Electronic Support and Communications Section* | | |
| Local Area Network Administration Unit support requests | 6 500 | 4 723 |
| Computer Support Unit (help desk) support requests | 40 500 | 35 371 |
| Audio-Visual Unit support requests | 2 400 | 3 442 |
| Communications Unit support requests | 1 403 | 2 260 |
| Training Unit — trainee days | 2 700 | 2 129 |
| Programming Unit — projects in progress | 20 | 10 |
| *General Services Section* | | |
| Building Management Unit work orders completed | 1 935 | 7 221 |
| Graphics (requests for reproduction) | 2 125 | 1 530 |
| Protocol (visa/identity card applications) | 3 072 | 3 736 |
| Receiving and inspection (inspection reports) | 692 | 1 030 |
| Vehicle fleet | 72 | 138 |

| | | |
|---|---|---|
| *Procurement and Travel Section* | | |
| Procurement (purchase orders raised) | 770 | 1 063 |
| Travel (travel authorizations raised) | 5 123 | 6 508 |

# Annex II

## Voluntary contributions and Trust Fund activities

1. The General Assembly, in its resolutions 49/242 B of 20 July 1995 and 53/212 of 18 December 1998, invited Member States and other interested parties to make voluntary contributions to the International Tribunal for the Former Yugoslavia that were acceptable to the Secretary-General. As at 31 December 2000, cash donations received for the Voluntary Fund to support the activities of the International Tribunal, established by the Security Council in its resolution 827 (1993) of 25 May 1993, was approximately $31,296,423. Of that amount, $1,539,864 relates to the period from 1 January to 31 December 2000 (see table II.1). In addition, as at 31 December 2000, cash pledges of $1,447,951 and in-kind contributions valued at approximately $1,210,000, excluding the costs of staff and experts on loan from Governments, international organizations and institutions, have been received (see table II.2).

2. Voluntary contributions have been utilized for activities in support of the Tribunal's prosecutorial and investigative activities, such as operations in Kosovo, a review of cases through the rules of the road project, assistance to victims and witnesses and procurement of equipment, books and periodicals for the library. Expenditures from the Voluntary Fund in 2000 amounted to $5,384,300 (see table II.3).

Table II.1
**Total cash contributions to the Voluntary Fund, by contributor, since its inception**
(United States dollars)

| | |
|---|---|
| Donations from 25 May 1993 to 31 December 1999 | 29 756 559 |
| Donations for the period from 1 January to 31 December 2000 | |
| Canada | 204 013 |
| Denmark | 50 000 |
| Germany | 100 000 |
| Norway | 32 189 |
| Switzerland | 112 000 |
| United Kingdom of Great Britain and Northern Ireland | 128 885 |
| United States of America | 100 251 |
| European Union | 810 330 |
| Utrecht University | 2 196 |
| **Subtotal** | **1 539 864** |
| **Total** | **31 296 423** |

Table II.2
**Total cash pledges to the Voluntary Fund, by contributor, as at 31 December 2000**
(United States dollars)

| | |
|---|---|
| Bosnia and Herzegovina | 45 455 |
| Finland | 170 000 |
| Luxembourg | 25 000 |
| United States of America | 702 309 |
| European Union | 503 687 |
| German Bar Association | 1 500 |
| **Total pledges as at 31 December 2000** | **1 447 951** |

Table II.3
**Expenditures for the year 2000 as at 31 December**
(Thousands of United States dollars)

| *Project* | *Expenditure* |
|---|---|
| Rules of the road | 317 900 |
| Library | 128 300 |
| Kosovo operations | 4 175 200 |
| Outreach | 514 700 |
| Other activities | 248 200 |
| **Total** | **5 384 300** |

3. The following major activities were funded by cash contributions to the Voluntary Fund during 2000:

(a) Rules of the road. The project produced summary translations and indexes of the tens of thousands of pages of materials submitted to the Tribunal. Funding was continued throughout 1999 and 2000 covering the costs of legal, translation, research and administrative staff for the project;

(b) Library. The European Commission continued its support to the Tribunal's library, enabling it to further develop its collection of books, legal journals and compact disk-based information. The acquisition of an electronic information system has enabled access to compact disk-based media and online legal databases. The Carnegie Foundation carried out this project;

(c) Kosovo operations. Contributions were received and utilized to assist the Tribunal with additional tasks arising from the conflict in Kosovo. The following are being funded under Kosovo operations: a Kosovo investigative team, a workload backfill project, a document exploitation project, assistance to local prosecutions and administrative, financial and interpretative support staff for the Kosovo operations;

(d) Outreach. Commencing in September 1999, the outreach programme has focused its efforts on improving the external perception of the Tribunal and its activities, particularly of the Chambers, as well as communicating those activities more clearly to the peoples of the former Yugoslavia. Voluntary contributions were used in the start-up phase for hiring staff, purchasing a vehicle for the field, general operating expenses and production and promotion costs;

(e) Other activities. The other activities included the investigation of demographic changes in Bosnia and Herzegovina, the provision of staff support to the Prosecutor in her efforts to persuade Governments to arrest persons indicted for war crimes and the provision of services in support of witnesses, including purchasing a vehicle for witness transport and providing medical services and clothing to witnesses and language training to staff assisting victims and witnesses.